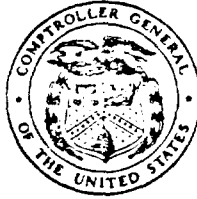


**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

**FILE:** B-210026

**DATE:** January 18, 1983

**MATTER OF:** Science and Technology Applications, Co.

**DIGEST:**

A bid offering a 30-day acceptance period, rather than the 60 days required by the invitation for bids, must be rejected as nonresponsive.

Science and Technology Applications, Co. protests the National Aeronautics and Space Administration's rejection of its bid under invitation for bids No. 5-11301/027 for maintenance and repair of air conditioning, air handling, ventilation, and induction units at the Goddard Space Flight Center. The agency rejected the bid as nonresponsive because it offered only a 30-day acceptance period rather than the 60-day acceptance period required by the solicitation. We deny the protest.

Science and Technology contends that its insertion of the 30-day acceptance period--instead of the 90-day period it intended--was a clerical error which it should be allowed to correct.

We do not agree. We have held that where, as here, an invitation requires that a bid remain available for acceptance by the government for a prescribed period, the bidder's failure to meet this requirement renders the bid nonresponsive. Miles Metal Corporation, 54 Comp. Gen. 750 (1975), 75-1 CPD 145. To allow otherwise would afford the bidder an unfair advantage over its competitors because the bidder would have the option of refusing the award if, for example, unanticipated market fluctuations occurred. On the other hand, bidders complying with the required acceptance period are bound by

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the Government's acceptance within the time stated in the invitation. Id. NASA therefore properly rejected the bid.

The protest is summarily denied.

*for Milton F. Fowler*  
Comptroller General  
of the United States